

SEPTEMBER 13, 1960

An Adjourned meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4545 East Grandview-Douglas Highway, on Tuesday, September 13, 1960 at 7:30 p.m.

PRESENT: Councillors Hicks, Drummond, Edwards,
Jamieson, MacSorley, Mather and Prittie.

ABSENT - Reeve Emmott and Councillor Harper.

Acting Reeve Jamieson was in the Chair.

The Acting Reeve announced that Mr. Norman D. Lea of Foundation of Canada Engineering Corporation was in attendance and desired an audience with Council for the purpose of presenting a report of his Corporation on the study conducted by it of the Peat lands in the Municipality, and to outline some of the salient features of the report.

MOVED BY COUNCILLOR PRITTIE.
SECONDED BY COUNCILLOR EDWARDS:

"That Mr. Lea be heard."

CARRIED UNANIMOUSLY

Mr. Lea presented a number of copies of the comprehensive Engineering report, together with a summary of it (in separate form), and briefly outlined the main points of the report, including the conclusions reached and recommendations made with respect to development of the lands in question.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR MacSORLEY:

"That the report be received, with appreciation."

CARRIED UNANIMOUSLY

Administrator, CKNW Orphans Christmas Fund, submitted a letter requesting permission to conduct a Tag Day on Saturday, December 10th.

MOVED BY COUNCILLOR MATHER,
SECONDED BY COUNCILLOR EDWARDS:

"That permission be granted, provided this campaign does not conflict with any other of a similar nature."

CARRIED UNANIMOUSLY

Secretary, Burnaby Art Society, submitted a letter requesting permission to use the Municipal Hall for the purpose of displaying an Exhibition of paintings on the following dates:

- (1) September 19th - 9:00 a.m. to 10:00 p.m.
- (2) September 20th
to September 23rd - 9:00 a.m. to 5:00 p.m.
- (3) September 25th - 9:00 a.m. to 10:00 p.m.
- (4) September 27th
to September 30th - 9:00 a.m. to 5:00 p.m.

The Secretary submitted a further letter requesting authority to erect the above noted Exhibition on Friday, September 16th and to dismantle it on Monday, October 3rd.

MOVED BY COUNCILLOR HICKS,
SECONDED BY COUNCILLOR MATHER:

"That the requests of the Burnaby Art Society be acceded to."

CARRIED UNANIMOUSLY

President, Burnaby Hobby and Museum Centre Society, wrote advising that the Society would be participating in the activities planned for Burnaby Week and expressing their appreciation to the Burnaby Day Committee for being allowed to represent the culture of Burnaby in hobbies and museums.

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR MacSORLEY:

"That the letter be received and its contents noted."

CARRIED UNANIMOUSLY

Mr. J. Moore submitted a letter protesting the lack of support by Council in the recent attempt by the residents of the Sullivan Heights area to relocate a portion of the Barnard - Hill Avenue transmission line and requesting that Council adopt a definite stand on this matter.

Mr. L. Harder submitted a letter in the same vein as the previous one.

MOVED BY COUNCILLOR HICKS,
SECONDED BY COUNCILLOR PRITTIE:

"That both of these letters be received."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HICKS,
SECONDED BY COUNCILLOR PRITTIE:

"That Council reconsider its previous position with respect to location of the Barnard - Hill Avenue transmission line."

IN FAVOUR - Councillor
Hicks
AGAINST - Councillors
Drummond, Edwards,
MacSorley, Mather and
Prittie.
MOTION LOST.

Secretary, Fraser Valley Municipal Association, submitted a letter advising that the Association is sponsoring a banquet at the U.B.C.M. Convention and requesting that, to defray a portion of the costs to be incurred in this connection, this Municipality agree to pay approximately one-half cent per capita as its share. The Secretary also submitted an account in the sum of \$10.00 representing the annual membership dues of Burnaby in the Association.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR MATHER:

"That Council accept the cost sharing arrangement described in the letter from the Fraser Valley Municipal Association and further, the account for \$10.00 covering membership dues in the Association be authorized for payment."

CARRIED UNANIMOUSLY

"Burnaby Sewer Connection By-Law, 1960" was lifted from the table for further consideration.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR MacSORLEY:

"That the By-law be tabled for one more week."

CARRIED UNANIMOUSLY

Item No. 8 of Municipal Manager's Report No. 39, 1960 re Sandor Land Company Limited and a portion of Irvine Street was lifted from the table for further consideration.

Street, Wollen and Promislow wrote advising that they have been retained by Mr. J. Jambor of Sandor Land Company Limited for the purpose of presenting his case to Council.

MOVED BY COUNCILLOR MacSORLEY,
SECONDED BY COUNCILLOR EDWARDS:

"That the representative of Mr. Jambor be heard."

CARRIED UNANIMOUSLY

Mr. William A. Street appeared and suggested that it would be in the interests of both the Municipality as a whole and Mr. Jambor in particular if the exchange proposal advanced in the Municipal Manager's Report was implemented. In this connection, he stated that the proposal calls for the yielding by Mr. Jambor of a strip of his property for the widening of Kingsway and, in return, for the acquisition by him of the subject portion of Irvine Street while, at the same time, the Municipality would gain more land, be in a position to extend its sidewalk facilities, and likely increase its tax revenues through the establishment of a commercial development on the site in question. Mr. Street also suggested that there was no question of injurious affection since no one would be made to suffer by the closing of the subject portion of Irvine Street. In this regard, he claimed that the only party who might be affected by this closing (Medical-Dental Building) presently enjoys a large frontage on two streets and, in addition, it has a width of 25-feet available to it which could be used as rear access. He pointed out that the portion of Irvine Street which was immediately behind the Medical-Dental development was closed at their instance and that therefore it followed that, in the event of damage being claimed by this development, the Municipality could not be held liable since the Medical-Dental development (by virtue of its "closing" actions) would be considered as an instrument of its own misfortune. Mr. Street suggested that Council utilize Section 507(3) of the Municipal

Act - not as a legal requirement but merely to obtain public reaction to the exchange proposal - as a means of ascertaining the possibility of liability for injurious affection. He concluded by requesting that Council consider the publication of a notice of intention to proceed with the exchange in question with the just stated view in mind.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR DRUMMOND:

"That the suggestion of Mr. Street concerning utilization of Sub-section (3) of Section 507 of the Municipal Act be made available, in written form, for examination by the Municipal Solicitor and Council."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR MacSORLEY,
SECONDED BY COUNCILLOR PRITTIE:

"That Council now resolve itself into Committee of the Whole."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER -- REPORT NO. 40, 1960.

(1) Investments.

The Manager recommended that the actions of the Treasurer in making the following investments be confirmed:

<u>Date</u>	<u>Security</u>	<u>Amount</u>	<u>Price</u>	<u>Yield</u>	<u>Earnings to Maturity</u>
15/8/60	B.C. Power Commission 5% 15/8/63	\$ 7,000.00	Par	5%	\$1,050.00
22/8/60	B.C. Power Commission 5% 15/8/63	40,000.00	1007/8	4.95%	\$5,961.64

the above amounts exclusive of the S.S. Tax.

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR HICKS:

"That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

(2) Tenders for the supply of Truck Bodies.

The Manager recommended that the following tenders for the supply of the equipment indicated be accepted:

1. Carter Machine Works -1 Garbage Body - \$ 1,785.00
2. Brantford Coach & Body Limited -5 tool and maintenance truck bodies - \$ 4,691.00

MOVED BY COUNCILLOR MacSORLEY,
SECONDED BY COUNCILLOR EDWARDS:

"That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

(3) Local Improvement Paving Program - 1959.

The Manager reported that as a result of the completion of certain underground works he was now in a position whereby he could recommend reinstatement of the following items of paving:

#35 -Kitchener Street -Madison to Rosser	\$5,600.00
#36 -Keith Street - Buller Avenue-308 ¹ west-	\$1,980.00
#45 -Parker Street- Alpha to Beta	4,400.00
#46 -Parker Street-Delta to W.P.L.Rem."A"-	1,520.00

The Manager recommended that Council authorize the reinstatement of these paving projects.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR HICKS:

"That the recommendation of the Municipal
Manager be adopted."

CARRIED UNANIMOUSLY

(4) Easements - 1959/60 Drainage By-law and South Slope Sewer.

The Manager recommended that Council authorize the acquisition of the following easements and the execution of the easement documents:

<u>NAME:</u>	<u>EASEMENT AREA:</u>	<u>CONSIDERATION:</u>
a) Frederick Sampson & Jean Mary Sampson	Easterly 20 ft. of the north 84.3 ft. of Lot 16, Blk. 8,D.L. 136, Gr.1, Pl. 8924, N.W.D.	\$1.00 and restora- tion of trees, supplying of fill and provision of a storm sewer connection.
b) Annie Dorothy Johnson	West 15 ft. of Parcel "A", (Expl. Pl. 14577) Blk. 90, D.L. 129, Pl. 1492, save & except the east 65 ft. thereof.	\$400.00, restoration of original grade, replacement of fences.
c) David George Stutters & Irene Isabell Stutters	East 5 ft. of Lot 2, Blk, 89, D.L. 129, Pl. 18637.	\$1.00, restoration of easement area and fences and suitable replacement of trees.
d) Clare and Ivy Heath	North 10 ft. of Lot 5 of Lot 1, E.180 ft. of Blks. "A" and "C" of Lots 3 to 10 and 12 to 18, D.L.157, Pl. 21276.	\$1.00, replacement of trees and, if necessary, reloca- tion of garage.
e) Channing B. & Mary F. Hawkins	South 10 ft. of Parcel "D" (Expl.01.14695) of Lot 2 of Lot "A", Blk. "C" of Lots 3 to 10 and 12 to 18, D.L. 157, Pl. 4257.	\$1.00, restoration of the easment area, shrubs and tree.

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| f) Ronald R. & Phyllis West | East 5 ft. of Lot "A" of Lot 4 of Blk. "B" of Lot "C", D.L. 157, Pl. 12996. | \$1.00 and replacement of sidewalk and shrub, plus sewer connection. |
| g) Malcolm J. Yule | West 10 ft. of south 20 ft. of Lot "D" of Lot 5 of Lot "B", Blk. "C" of Lots 3 to 10 and 12 to 18, D.L. 157, Pl. 14607 | \$50.00 and restoration of easement area and fences. |
| h) George P. & Dorothy M. Selby-Hele | Part of Lot 1 of Lot 3, Block "B" of D.L. 157, Pl. 10253 | \$1.00 and restoration of easement area and provision of a sewer connection. |
| i) David Mowat Herd & Lillian Louise Herd | Part Lot 4 of Lots "B" and "C", Blk. "B", D.L. 157, Pl. 4022 | \$1.00, and provision of a sewer connection, replacement of shrubs. |
| j) Kenneth L. & Evelyn M. Graham | North 15 ft. of Lot 1, Blk. 41, D.L. 157, Pl. 1406. | \$350.00 plus assurance in writing that will be allowed to construct a concrete floor in his carport over the easement area. |
| k) The Director, Veterans' Land Act. (John Wesley McArthur) | West 15 ft. of Lot 1 of East half of Blk. 1, D.L. 152, Pl. 5452. | \$1.00 |
| l) Board of School Trustees-School District No. 41 (Burnaby) | Blk. 24 of Lot 99, Gr. 1, Pl. 844, save and except part subdivided on Plan 2012 and save and except south 33' and north 33' thereof. | \$1.00 |

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR HICKS:

"That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

(5) Lease of Portion of Lot 1, Block 7, D.L. 151/3 (Miller)

The Manager reported that the above lease expires on November 22, 1960 and that the lessee has requested an extension so that he can continue his business of operating a flower shop during the Christmas season this year. The Manager added that several applications have been received for the purchase of this property and that though it is of insufficient size to be used independently, it is the key to a good commercial site if consolidated with property lying immediately to the south. The Manager recommended:

- (a) That the current lease be permitted to over-ride until January 22, 1961.
- (b) That no further leasing of the property in question be entertained.

- (c) That as soon as the property is free of the lease encumbrance, it be put in a sale position.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR MATHER;

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(6) Attack Warning Sirens.

The Manager recommended that Council authorize the execution of agreements with the Department of National Defence permitting them to instal attack warning signs at the following locations:

1. Corner of Fell Avenue and Parkcrest Drive.
2. Corner of Sussex Avenue and Grassmere Street.
3. Corner of Stanley Street and 6th Street.
4. Corner of Prairie Street and Byrne Road.
5. Curle Street, south of Grandview Highway.

The Executive Assistant to the Municipal Manager added verbally that the corner of Cassie Avenue and the B. C. E. right-of-way should be included in the above list and he so recommended.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR MacSORLEY:

"That the recommendation of the Municipal Manager, as amended, be adopted."

CARRIED UNANIMOUSLY

(7) Local Improvements - Mainland Estates Limited Development.

The Manager submitted cost reports of the Municipal Engineer as required under Section 600 of the Municipal Act relative to a number of Local improvement Paving and Sidewalks for the above development.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR HICKS:

"That both the formal cost reports and the report of the Municipal Manager be received."

CARRIED UNANIMOUSLY

(8) Disbursements.

The Manager submitted the Treasurer's report on disbursements for the two week period ended August 12, 1960 in the total amount of \$397,631.54 recommending that they be approved.

MOVED BY COUNCILLOR MacSORLEY.
SECONDED BY COUNCILLOR EDWARDS:

"That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

(9) Sewer Easement - Lot 7, Blocks 1 and 2, D.L. 157, Plan 1261.

The Manager reported that an easement is required over a portion of the above lot and that negotiations for the easement have not been successful. He recommended that expropriation proceedings be instituted to acquire the necessary land for easement purposes.

During consideration of this item, it came to the attention of Council that negotiations had been conducted with someone other than the registered owner of the property in question. Concern was expressed by Council that it was being asked to authorize expropriation proceedings against a deceased person.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR PRITTIE:

"That this matter be referred to the Municipal Solicitor to clarify the registration status of the property in question and to indicate the means by which expropriation proceedings can be conducted."

CARRIED UNANIMOUSLY

(10) Sewer Easement - South 10 feet of Lot 2, R.S.D. "A", S.D. "B", Block "C", D.L. 157, (Leffler).

The Manager reported that negotiations for the acquisition of the above noted easement have failed and recommended that expropriation proceedings be instituted.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR MATHER:

"That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

(11) Oakland Street Extension.

The Manager reported that negotiations for the acquisition of a proposed road allowance for the above noted extension with the owner of the property required have failed. He advised that an Expropriation By-law has been placed on the Agenda to authorize expropriation proceedings for the acquisition of the property in question - portion of Block 97, D. L. 92, Plan 1146 - owned by a Mr. T. Vanderwiel.

MOVED BY COUNCILLOR MacSORLEY,
SECONDED BY COUNCILLOR EDWARDS:

"That the report of the Municipal Manager be received."

CARRIED UNANIMOUSLY

(12) Underground Wiring.

The Manager reported that he had obtained certain information from the City of Victoria concerning the underground wiring programme being carried out in that City. He supplied the answers furnished him by the City of Victoria for the information of Council.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR HICKS:

"That the report be received and referred to the Policy Committee for further discussion at its next meeting."

CARRIED UNANIMOUSLY

(13) Lane Allowance along South Boundary of Richmond Park.

The Manager reported that a petition was received from a number of residents in the 1100 Block Holly Street requesting permission to fence and use a ten foot lane allowance at the rear of their properties adjacent to Richmond Park. He advised that the Municipality is not able to dispose of its streets and lanes in this fashion and that though there is no possibility of opening the lane, it has been developed by the Parks and Recreation Commission for use in conjunction with the remainder of the Park in question. In this regard, he added that a drainage ditch has been constructed by the Commission to handle the surface water from the Park. The Manager recommended that the petitioners be informed that the Corporation is not permitted to allow private use of public property.

MOVED BY COUNCILLOR MATHER,
SECONDED BY COUNCILLOR PRITTE:

"That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

(14) Lane South of 4700 and 4800 Blocks Ridgelawn Drive.

The Manager submitted a report recapitulating the situation with respect to the above noted lane concluding that should Council accede to the demand of the Ratepayers, it would need to make the following decisions:

- (a) Approve the use of, and eventual dedication of, Municipal property required for widening.
- (b) Authorize the acquisition of a ten foot strip from Lot 3, Block 7A - either by purchase or expropriation.
- (c) Whether construction should be through utilization of free fill or by use of acquired fill.
- (d) Indicate the proportion of the total cost the Municipality is prepared to bear.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR PRITTE:

"That this matter be tabled for a period of one week in order to allow Councillors the opportunity of thoroughly considering the proposal."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR MacSORLEY,
SECONDED BY COUNCILLOR PRITTE:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR MATHER,
SECONDED BY COUNCILLOR PRITTIE:

"That the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

Councillor Edwards withdrew from the meeting.

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR MacSORLEY:

"That a Public Hearing be held on Monday, September 26th, 1960, at 7:00 p.m. to hear representations on the proposed rezoning of Block 38 except Sketch 6927, Except Plan 9355 and except Reference Plan 15504, D.L. 159, Plan 930 from Residential Single Family and Heavy Industrial to Commercial."

CARRIED UNANIMOUSLY

Councillor Edwards returned to the meeting.

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR EDWARDS:

"That leave be given to introduce
"BURNABY LEASE AUTHORIZATION BY-LAW NO. 6, 1960"
"BURNABY HIGHWAY EXPROPRIATION BY-LAW NO. 2, 1960"
and that they be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR EDWARDS:

"That the By-laws be read a Second Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR EDWARDS:

"That the Council resolve into Committee of the Whole to consider the By-Laws."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR EDWARDS:

"That the Committee rise and report the By-laws complete."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR EDWARDS;

"That the report of the Committee be adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR EDWARDS:

"That "BURNABY LEASE AUTHORIZATION BY-LAW NO. 6, 1960"
"BURNABY HIGHWAY EXPROPRIATION BY-LAW NO. 2, 1960"
be now read a Third Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR EDWARDS:

"That "BURNABY TOWN PLANNING BY-LAW 1948, AMENDMENT
BY-LAW NO. 6, 1960"
"BURNABY KENNEL REGULATION BY-LAW, 1960"
be now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR EDWARDS:

"That "BURNABY TOWN PLANNING BY-LAW 1948,
AMENDMENT BY-LAW NO. 6, 1960"
"BURNABY KENNEL REGULATION BY-LAW, 1960"

be now finally adopted. signed by the Reeve
and Clerk and the Corporate Seal be affixed
thereto."

CARRIED UNANIMOUSLY

THE ACTING REEVE DECLARED A RECESS AT 9:30 P.M.

THE COUNCIL RECONVENED AT 9:40 P.M.

MOVED BY COUNCILLOR MATHER,
SECONDED BY COUNCILLOR EDWARDS:

"That the Council now resolve itself into
Committee of the Whole."

CARRIED UNANIMOUSLY

Executive Assistant to the Municipal Manager submitted a report
recommending that Council authorize the acquisition of the
following properties for the amounts indicated:

<u>NAME:</u>	<u>TERRITORY REQUIRED</u>	<u>COMPENSATION</u>
Allen A. & Jessie E. Findlay	South Easterly 10 ft. of Lot 16, Block 2, D.L. 27, Plan 697	500.00
Andrew Evanisky Elsie Evanisky	South Easterly 10 ft. of Lot 25, Block 1, D.L. 27, Plan 697	750.00
Tom Boroevich Dina Boroevich	A 0.113 acre portion of Lot 34 North Half, D.L. 135, Plan 323 ⁴	960.00

MOVED BY COUNCILLOR MATHER,
SECONDED BY COUNCILLOR MacSORLEY:
"That the recommendation of the Executive
Assistant to the Municipal Manager be
adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR PRITTLIE:

"That the Committee now rise and report."

The Council reconvened.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR MATHER:

"That the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

The Municipal Clerk advised that he had been contacted by an official of the Vocational School who had extended an invitation to the members of Council to tour this School.

MOVED BY COUNCILLOR MacSORLEY,
SECONDED BY COUNCILLOR EDWARDS:

"That the invitation be accepted and a date for this tour arranged at the next meeting of Council."

CARRIED UNANIMOUSLY

A brief discussion then took place on the pension proposal being advanced by the Retired Municipal Employees Association and, in particular, the role expected to be played by Council on this matter at the forthcoming U.B.C.M. Convention. It was felt that in order to do a proper job of it, the Council would need to be in possession of all the facts and information pertaining to the proposal.

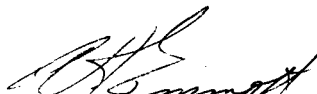
MOVED BY COUNCILLOR MacSORLEY,
SECONDED BY COUNCILLOR HICKS:

"That the Municipal Manager be directed to discuss the proposal with the Reeve and present background information on it to Council at its next meeting on September 19th."

CARRIED UNANIMOUSLY

The meeting then adjourned.

Confirmed:


REEVE


CLERK